IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

-

WRIT PETITION NO : 1012 of 2005

Between:

B.Ram Babu, S/o.Narasimha Rao, aged 38 years,
R/o.MIG-232, K.P.H.B. Colony, Hyderabad.

..... PETITIONER

AND

The Secretary, State Transport Authority,

A.P.Hyderabad.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ order or direction, particularly one in the nature of writ of Mandamus, directing the respondent herein to accept the valid records of a contract carriage vehicle within 2 months from today from the petitioner and issue contract carriage permit on the Inter State Route Kukatpally to Shirdi as per orders of the State Transport appellate Tribunal Hyderabad in A.P. No.272 of 2003 dt. 22-09-2003.

Counsel for the Petitioner: MR.B.SIVA RAMA KRISHNAIAH

Counsel for the Respondent: GP FOR TRANSPORT

The Court at the admission stage made the following:

ORDER:

By an Order dated 22.09.2003, the State Transport Appellate Tribunal, Hyderabad in A.P. No. 272 of 2003, allowed the appeal setting aside the order passed by the respondent and directed the respondent to issue Contract Carriage Permit to the petitioner within four months from the date of receipt of a copy of the order on production of valid records and documents as required under the Motor Vehicle Act and Rules made thereunder.

Now, the learned Counsel for the Petitioner contended that due to ill-health of the petitioner he could not produce the records within four months and before expiry of the said period, he could not even make an application for extension of time for production of the records. It is further contended that this Court in similar circumstances, in W.P. No.23274 of 2002, dated 21.11.2002, granted six weeks time to the petitioner herein on the ground that no third party rights have accrued on production of the records. Therefore, the facts on hand are also similar to that of the

Writ Petition disposed of by this Court.

Having regard to the facts and circumstances of the case, the Writ Petition is disposed of granting one week time to the petitioner from the date of receipt of a copy of this order to submit valid records to the respondent. On submission of the records, within the said time, the respondent shall take appropriate steps to issue Contract Carriage Permit. If the petitioner fails to submit the valid records and documents within the said period, he is not entitled for Contract Carriage Permit. No costs.

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K.C. BHANU,J

Dated:31.01.2005,

Note:

C.C. by tomorrow.

B/o

CCM

To:

1. The Secretary, State Transport Authority,A.P. Hyderabad.

2. 2 CCs to the GP for Transport, High court Buildings, Hyderabad (OUT)

3. 2 CD copies.